

## Committee Room.

Austin, Texas, February 15, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully compared Senate Bill No. 135, and find same correctly engrossed.

WESTBROOK, Chairman.

## Committee Room,

Austin, Texas, February 15, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully compared Senate Bill No. 272, and find same correctly engrossed.

WESTBROOK, Chairman.

## Committee Room,

Austin, Texas, February 15, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully compared Senate Bill No. 71, and find same correctly engrossed.

WESTBROOK, Chairman.

## TWENTY-SIXTH DAY.

## Senate Chamber,

Austin, Texas,

Tuesday, February 16, 1915.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answered to their names:

Astin.	Lattimore.
Bailey of DeWitt.	McCollum.
Bailey of Harris.	McGregor.
Bee.	McNealus.
Brelsford.	Morrow.
Conner.	Page.
Cowell.	Parr.
Darwin.	Robbins.
Gibson.	Smith.
Hall.	Suiter.
Harley.	Townsend.
Harris.	Westbrook.
Johnson.	Wiley.
King.	

Absent.

Clark.

25—Senate

## Absent—Excused.

Henderson.

Nugent.

Hudspeth.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Westbrook.

## Excused.

On account of important business:

Senator Henderson, for yesterday and balance of this week, on motion of Senator Conner.

Senator Nugent, for today, on motion of Senator Cowell.

Senator Hudspeth, for yesterday and balance of this week, on motion of Senator Morrow.

(Senator Wiley in the chair.)

## Bills and Resolutions.

By Senators Johnson and Astin:

S. B. No. 311, A bill to be entitled "An Act to repeal Chapter 5 of the General Laws, passed by the Second Called Session of the Thirty-third Legislature, being an Act to create a State bonded warehouse system, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Bailey of Harris:

S. B. No. 312, A bill to be entitled "An Act creating the La Porte Independent School District in Harris County, Texas, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senators Townsend, McGregor, Suiter and Westbrook:

S. B. No. 313, A bill to be entitled "An Act providing for the regulation and control of hospitals maintained or established or conducted by means of funds derived from deductions from wages or collections from the employes of railway companies or receivers thereof; providing that the collectors or possessors of such funds and property in which such funds have been invested shall be trustees thereof for the benefit of such employes, and providing for the selection of the members of the boards for the management of such hospitals, and for the powers of

such boards, for the free transportation of sick and injured employees to and from such hospitals and fixing penalties for violation, and providing for the collection of such penalties."

Read first time and referred to Committee on State Affairs.

By Senators Hudspeth and Brelsford:

S. B. No. 314, A bill to be entitled "An Act to amend Article 5402, Revised Statutes, 1911, so as to authorize the investment of the proceeds of the sale of lands granted to counties for educational purposes in bonds of the United States, the State of Texas, of counties of the State, of independent or common school districts, road precincts, drainage, irrigation, navigation and levee district of said State, of incorporated cities and towns, of road precincts of any county, of drainage, irrigation, navigation and levee districts of any county or counties of Texas, and declaring an emergency."

Read first time and referred to Committee on Mining and Irrigation.

By Senator McGregor:

S. B. No. 315, A bill to be entitled "An Act to provide for the appointment of a Cotton Seed Products Investigating Commission, to be composed of three persons to be appointed by the Governor, to investigate cotton seed oil mills located within this State, to ascertain whether anti-trust laws of Texas and the United States are being violated in connection with the purchase of cotton seed, the relation of such cotton seed oil mills, their owners and controllers, through individuals or stock ownership, with each other and with packeries, national banking associations, State banks, trust companies, transportation companies, cotton gins, and other corporate organizations or companies, or with the stockholders, directors or other officers or agents of such companies, or with a person or persons, which have a tendency to destroy competition in the purchase of cotton seed and the sale of the products thereof; to provide for the issuance of processes for witnesses and the taking of testimony, and conferring the power to compel attendance of witnesses and to compel witnesses to testify, and providing compensation

for such witnesses, and to adjudge guilty of contempt and impose a penalty for refusal to testify; providing for compensation to be paid to members of the commission, and power to employ clerical and other assistance, and such commission shall submit proposed bills and report to the Governor; appropriating the sum of thirty thousand (\$30,000) dollars to provide for the expenses to be incurred, and declaring an emergency."

Read first time and referred to Committee on Judiciary No. 1.

By Senator Conner:

S. B. No. 316, A bill to be entitled "An Act to amend Section 12, Chapter 5, of the General Laws of the Thirty-second Legislature, as amended by Section 1, Chapter 176, of the General Laws of the Thirty-third Legislature, and adding thereto subdivision (d) and declaring an emergency."

Read first time and referred to Committee on Stock and Stock Raising.

By Senator Cowell:

S. B. No. 317, A bill to be entitled "An Act creating a more efficient road system for Grayson County, Texas, and declaring an emergency." Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senators Cowell and Lattimore:

S. J. R. No. 19, be it resolved by the Legislature of the State of Texas, that

Whereas, in Section 2 of Senate Bill No. 56, same being, an Act to make appropriations to cover authorized deficiencies for the fiscal years ending August 31, 1914, in Section 2 of said bill the line an appropriation as follows: "For salary of storekeeper and accountant—\$300.00" appears in said bill immediately after the line, an appropriation "for State Library contingent expense—\$600.00," making it appear that the storekeeper and accountant as provided for is connected with the State Library, and

Whereas, the said provision "for salary of storekeeper and accountant—\$300.00," should appear before the item or provision for State Library and as a part immediately

after the appropriation for the State lunatic asylum. Therefore, be it

Resolved, That it be declared to be the intention of the Senate and House to make said appropriation for a salary of a storekeeper and accountant for the State Lunatic Asylum—\$300.00, and that all persons dealing with the said item are authorized to so regard same. Be it further

Resolved, That in Section 3 of said bill, where same appropriates the sum of \$100,000.00 of insurance money collected on the "Canyon Normal School," and directing the application and payment of same, be understood and construed to mean and in all things to be treated as the same read that the sum of \$100,000.00 of insurance money collected on the "West Texas State Normal," and that wherever the words "Canyon Normal School" appear in said bill that it be understood that the use of said words is intended to mean "the West Texas State Normal." Be it further

Resolved, That the corrections herein given be regarded as sufficient authority by all persons dealing with said Senate Bill No. 56 for a correct interpretation of the above mentioned terms and expressions.

Read and referred to Committee on Finance.

#### Simple Resolution No. 78.

By Senator Bailey of Harris:

I move that 2,000 copies of the Governor's Initial Message be printed in pamphlet form.

The above motion was read and adopted.

#### Simple Resolution No. 79.

By Senator Lattimore:

Resolved, That the Superintendent of Public Buildings and Grounds be instructed at once to remove from the Senate Chamber the unsightly nine-story beehives, which interfere with locomotion and convenience and appearances of the Senate Chamber, and to provide for some appropriate way of covering the radiators.

The resolution was read, and Senator Lattimore asked unanimous consent to consider the resolution at this time.

Senator Westbrook moved that the resolution be referred to Com-

mittee on Public Buildings and grounds.

Pending discussion, Senator Westbrook made the point of order that the resolution could not, under the rule, be discussed.

The Chair overruled the point of order, stating that Senator Lattimore asked unanimous consent to consider the resolution, and there was no objection at the time the request was made.

Pending further discussion, there was objection by Senator McNealus to the debating the resolution, but the objection was overruled.

Action recurred on the motion to refer the resolution to a committee, and the motion was lost.

Action recurred on the resolution, and the same was adopted by the following vote:

Yeas—18.

Bailey of DeWitt.	King.
Bailey of Harris.	Lattimore.
Bee.	McGregor.
Cowell.	Page.
Gibson.	Parr.
Hall.	Smith.
Harley.	Suiter.
Harris.	Townsend.
Johnson.	Wiley.

Nay—1.

Westbrook.

Present—Not Voting.

Astin.	Darwin.
Brelsford.	McNealus.
Conner.	

Absent.

Clark.	Morrow.
McCollum.	

Absent—Excused.

Robbins.	Hudspeth.
Henderson.	Nugent.

#### Simple Resolution No. 80.

By Senator Johnson:

I move that the Committee on Senatorial Districts be, and it is, hereby requested to report a Senatorial bill to this body within three days from this date.

The resolution was read and Senator Johnson asked unanimous consent to consider the resolution at this time. There was objection.

Senator Townsend moved that the resolution be considered at this time.

Senator McNealus made the point of order that S. R. No. 80 is not in order at this time, for the reason that the Committee on Senatorial Districts has already reported a Senatorial bill, which was printed in the Journal, and that that report must be disposed of by the Senate before it can request this committee to consider and report another similar bill.

The Chair (Senator Wiley) overruled the point of order.

Action recurred on the motion to consider the resolution, and the same was lost by the following vote:

Yeas—9.

Brelsford.	Morrow.
Conner.	Smith.
Darwin.	Townsend.
Johnson.	Wiley.
Lattimore.	

Nays—15.

Astin.	Harris.
Bailey of DeWitt.	King.
Bailey of Harris.	McCollum.
Bee.	McNealus.
Cowell.	Page.
Gibson.	Parr.
Hall.	Suiter.
Harley.	

Present—Not Voting.

Robbins.

Absent.

Clark.	McGregor.
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Absent—Excused.

Henderson.	Nugent.
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Pairs Recorded.

Senator Westbrook (present), who would vote aye; Senator Hudspeth (absent), who would vote no.

The resolution was referred to Committee on State Affairs.

Morning call concluded.

#### House Concurrent Resolution No. 6.

(By unanimous consent.)

The Chair laid before the Senate, H. C. R. No. 6, A resolution designating March 2 of each year as "Flag Day."

The resolution was read and adopted.

#### Senate Bill No. 237.

Senator Westbrook moved that S. B. No. 237 be made a special order for Friday morning, following the conclusion of the morning call.

The motion was adopted.

#### Senate Bill No. 146.

Senator McNealus asked unanimous consent to make S. B. No. 146 a special order for next Tuesday morning after the morning call. There was no objection.

#### Senate Bill No. 46.

(By unanimous consent.)

The Chair laid before the Senate, on third reading,

S. B. No. 46, A bill to be entitled "An Act to regulate the payment of wages to employes in certain employments within the State of Texas, providing penalty for violation, and declaring an emergency."

Senator Smith offered the following amendment:

(1) Amend the engrossed bill by striking out the word "that" in line 1, Section 1, and substituting the following: "From and after January 1, 1916."

The amendment was read and adopted by the following vote:

Yeas—20.

Astin.	King.
Bailey of Harris.	Lattimore.
Bee.	McCollum.
Clark.	McNealus.
Conner.	Parr.
Cowell.	Smith.
Darwin.	Suiter.
Gibson.	Townsend.
Harley.	Westbrook.
Johnson.	Wiley.

Present—Not Voting.

Brelsford.	Harris.
Hall.	Robbins.

Absent.

Bailey of DeWitt.	Morrow.
McGregor.	Page.

Absent—Excused.

Henderson.	Nugent.
Hudspeth.	

Senator Smith offered the following amendment:

(2) Amend engrossed bill by adding the following to Section 1: "An employe who is absent at the time fixed for payment, or who for any other reason is not paid at that time, shall be paid thereafter on six days' demand, and any employe leaving his or her employment, or discharged therefrom, shall be paid in full on six days' demand."

The amendment was read and adopted by the following vote:

Yeas—17.

Bailey of Harris.	McNealus.
Bee.	Morrow.
Clark.	Parr.
Cowell.	Smith.
Darwin.	Suiter.
Gibson.	Townsend.
Johnson.	Westbrook.
Lattimore.	Wiley.
McCollum.	

Nays—5.

Astin.	Hall.
Brelsford.	Harris.
Conner.	

Present—Not Voting.

Harley.	Robbins.
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Absent.

Bailey of DeWitt.	McGregor.
King.	Page.

Absent—Excused.

Henderson.	Nugent.
Hudspeth.	

Senator Lattimore offered the following amendment:

(3) Amend engrossed bill by striking out the word "failing" in line 1 of Section 2, and inserting the following: "Willfully failing or refusing," and by inserting the words "or refusal" at the word "failure," in line 4 of Section 2 of the engrossed bill.

The amendment was read and adopted by the following vote:

Yeas—26.

Astin.	Conner.
Bailey of Harris.	Cowell.
Bee.	Darwin.
Brelsford.	Gibson.
Clark.	Hall.

Harley.	Page.
Harris.	Parr.
Johnson.	Robbins.
King.	Smith.
Lattimore.	Suiter.
McCollum.	Townsend.
McNealus.	Westbrook.
Morrow.	Wiley.

Absent.

Bailey of DeWitt.	McGregor.
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Absent—Excused.

Henderson.	Nugent.
Hudspeth.	

Senator Harley offered the following amendment:

(4) Amend the engrossed bill by striking out the word "five" where it appears, and inserting in lieu thereof the word "ten."

DARWIN.  
HARLEY.  
MORROW.

Action recurred on the amendment, and the same was adopted by the following vote:

Yeas—26.

Astin.	King.
Bailey of Harris.	Lattimore.
Bee.	McCollum.
Brelsford.	McNealus.
Clark.	Morrow.
Conner.	Page.
Cowell.	Parr.
Darwin.	Robbins.
Gibson.	Smith.
Hall.	Suiter.
Harley.	Townsend.
Harris.	Westbrook.
Johnson.	Wiley.

Absent.

Bailey of DeWitt.	McGregor.
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Absent—Excused.

Henderson.	Nugent.
Hudspeth.	

Senator Page offered the following amendment:

Amend the bill by inserting in line 18, on page 1, immediately after the word "shall," the words "when requested so to do at the time of employment."

PAGE.  
BRELSFORD.

The amendment was read and lost

by the following vote, a two-thirds vote being necessary;

Yeas—6.

Astin.	Page.
Brelsford.	Parr.
King.	Wiley.

Nays—14.

Bailey of Harris.	Lattimore.
Bee.	McNealus.
Clark.	Morrow.
Conner.	Smith.
Cowell.	Suiter.
Gibson.	Townsend.
Harris.	Westbrook.

Present—Not Voting.

Hall.	McCollum.
Harley.	Robbins.
Johnson.	

Absent.

Bailey of DeWitt.	McGregor.
Darwin.	

Absent—Excused.

Henderson.	Nugent.
Hudspeth.	

Senator Hall offered the following amendment:

Amend the engrossed bill, page 1, Section 1, by adding after the word "payment" the following: "Provided, that nothing in this Act shall be construed to in any manner impair the right to individual contract."

The amendment was read and Senator McNealus made the point of order that a like amendment had been voted on and defeated at a former consideration of the bill.

The Chair held that the previous amendment complained of had been withdrawn without a vote and overruled the point of order.

Senator Westbrook moved the previous question on the amendment and the bill, which motion, being duly seconded, was so ordered.

Action recurred on the amendment, and Senator Hall desired to discuss same. The point of order was made that the previous question had been ordered. Senator Page asked that unanimous consent be given Senator Hall to discuss same. There was no objection.

After discussion, action recurred

on the amendment, and the same was lost by the following vote:

Yeas—9.

Astin.	McCollum.
Brelsford.	Page.
Hall.	Parr.
Harley.	Wiley.
King.	

Nays—16.

Bailey of Harris.	Lattimore.
Bee.	McNealus.
Clark.	Morrow.
Conner.	Robbins.
Cowell.	Smith.
Darwin.	Suiter.
Gibson.	Townsend.
Harris.	Westbrook.

Present—Not Voting.

Johnson.

Absent.

Bailey of DeWitt.	McGregor.
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Absent—Excused.

Henderson.	Nugent.
Hudspeth.	

The bill, having previously been read, was passed finally by the following vote:

Yeas—24.

Astin.	King.
Bailey of Harris.	Lattimore.
Bee.	McCollum.
Brelsford.	McNealus.
Clark.	Morrow.
Conner.	Page.
Cowell.	Parr.
Darwin.	Robbins.
Gibson.	Smith.
Harley.	Suiter.
Harris.	Townsend.
Johnson.	Westbrook.

Nays—2.

Hall.	Wiley.
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Absent.

Bailey of DeWitt.	McGregor.
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Absent—Excused.

Henderson.	Nugent.
Hudspeth.	

Senator Smith moved to reconsider the vote by which S. B. No. 46 was

passed and table the motion to reconsider.

The motion to table prevailed.

#### Simple Resolution No. 81.

By Senator Clark:

Resolved, That our drinking water for the Senate be procured from the artesian well on the Capitol grounds.

The resolution was read and adopted.

#### Recess.

On motion of Senator Bailey of Harris, the Senate, at 12:40, p. m., recessed until 2:30 o'clock, p. m., today.

#### After Recess.

(Afternoon Session.)

The Senate was called to order by Senator Wiley, who was presiding at the time the Senate recessed.

#### Senate Bill No. 79.

The Chair laid before the Senate, on third reading,

S. B. No. 79, A bill to be entitled "An Act to amend Article 5623, Title 86, Chapter 2, of the Revised Civil Statutes of the State of Texas, providing that the furnishers of material or labor may secure a lien on any house, building, improvement or railroad by giving written notice to the owner, with itemized statement, and providing, further, that an owner may relieve himself from liability, and his property from any lien, by contract in writing and causing his contractor or builder to execute and file bond with sureties with county clerk, and by adding Section 2, providing the conditions of such bond, and by adding Section 3, requiring lienor to file with the owner and the county clerk his sworn statement within ninety days after the owner's notice of acceptance is filed; and by adding Section 4, requiring the owner to file in the office of the county clerk a signed and acknowledged statement of his acceptance of the work or the contractor's default; and by adding Section 5, providing that the owner shall file with the

county clerk his contract, bond and acceptance; and by adding Section 6, providing that the owner or lienor may file a petition and require all interested parties to set up their rights therein, authorizing judgment against original contractor and his sureties; fixing the liability of the owner where he fails to comply with this law, limiting the defenses of the sureties on said bond in such defenses as the principal contractor might set up, and authorizing bond companies to execute such bonds; and by adding Section 7, declaring the purpose of this bill, and by adding Section 8, repealing all laws and parts of laws in conflict herewith, and by adding Section 9, declaring an emergency."

The bill was laid before the Senate and passed finally by the following vote:

Yeas—26.

Astin.	King.
Bailey of DeWitt.	Lattimore.
Bailey of Harris.	McCollum.
Bee.	McGregor.
Brelsford.	McNealus.
Clark.	Page.
Conner.	Parr.
Cowell.	Robbins.
Darwin.	Smith.
Gibson.	Suiter.
Hall.	Townsend.
Harley.	Westbrook.
Johnson.	Wiley.

Present—Not Voting.

Harris.

Absent.

Morrow.

Absent—Excused.

Henderson.

Nugent.

Hudspeth.

Senator McNealus moved to reconsider the vote by which S. B. No. 79 was passed, and table the motion to reconsider.

The motion to table prevailed.

#### Senate Bill No. 55.

(Pending business.)

The Chair laid before the Senate, on second reading,

S. B. No. 55, "An Act creating a

State Highway Department and establishing a State Highway Commission."

The following committee amendment was read:

Amend by substituting the following for Section 18:

Section 18. The certificate of registration and numbering and the fee herein provided for shall be in lieu of all other registrations heretofore required by any county, city, town or other political subdivision, and no such registration fees or other similar burdens shall be required of any owner of any motor vehicle by any county, city, town, or other political subdivision of the State.

The committee amendment was read and adopted.

Senator Darwin offered the following amendments, which were read and adopted, being acted on separately:

(1) Amend the bill, page 1, line 24, by striking out all after the word "Act," down to and including the word "term," in end of line 27.

(2) Amend the bill, page 4, line 31, by striking out the word "engineer," and inserting in lieu thereof the word "commission."

(3) Amend the bill, page 4, line 31, by adding, after the word "engineer," the following:

"And the laboratories at the State institutions may be used for testing and analysis of road material."

Senator Cowell offered the following amendment, which was read and adopted:

Amend the bill by striking out all of Section 9, after the word "so," line 5, page 5.

Senator Cowell offered the following amendment:

Amend the printed bill, page 8, line 19, by striking out all after the word "workmanship," in line 19, down to and including the word "collected," in line 20, and by inserting the following: "All funds collectible under the provisions of this bill shall be collected by the tax collectors of the several counties of the State, in addition to remitting the actual cost of the number plates or markers herein provided, the said tax collectors of the several counties shall remit to the State Highway Department 20 per cent of the total amount so collected, and the

remainder of such amount shall go into the road and bridge fund of such several counties."

COWELL,  
LATTIMORE.

#### Message From the House.

Hall of the House of Representatives,  
Austin, Texas, February 16, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted

H. C. R. No. 9, Relating to H. B. No. 129, requesting the Speaker of the House and President of the Senate to erase their names therefrom.

Also, the House refuses to pass H. B. No. 249, "The Fraternity Bill."

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

H. C. R. No. 9 was read, and referred to Committee on State Affairs.

#### Simple Resolution No. 82.

By Senator Lattimore:

Be it resolved, that S. B. No. 262 be recalled by the proper employe of the Senate at once from the printer, same having already been properly printed.

The resolution was read and adopted.

#### Simple Resolution No. 83.

By Senator Lattimore:

Whereas, S. B. No. 42, after being passed by the Senate, and sent to the House, has been lost or misplaced by the House; and,

Whereas, A correct copy of said bill with the correct endorsements thereon has been prepared, and is herewith submitted; therefore, be it

Resolved, That the accompanying bill be substituted and sent to the House, with this resolution and a request that they accept and act on said bill.

The resolution was read and adopted.

#### Senate Bill No. 55.

Action here recurred on the pending business, S. B. No. 55, the ques-



tion being on the amendment by Senator Cowell, and,

Senator Gibson offered the following amendment to the amendment:

Amend the amendment, by inserting "fifteen years," instead of "ten years."

After discussion, Senator Harley moved that the bill and pending amendments be recommitted to the Committee on Public Roads, Bridges and Ferries.

After further discussion, Senator Bee made the point of order against the further consideration of the bill for the reason that it was a revenue raising bill, and could not originate in the Senate.

The Chair overruled the point of order.

Senator Clark moved to table the motion to recommit.

Senator Hall, at 5 o'clock, p. m., moved that the Senate adjourn until 10 o'clock tomorrow morning, which motion was lost by the following vote:

Yeas—6.

Astin.	Harley.
Bailey of DeWitt.	McGregor.
Hall.	Morrow.

Nays—22.

Bailey of Harris.	Lattimore.
Bee.	McCollum.
Brelsford.	McNealus.
Clark.	Rage.
Conner.	Parr.
Cowell.	Robbins.
Darwin.	Smith.
Gibson.	Suiter.
Harris.	Townsend.
Johnson.	Westbrook.
King.	Wiley.

Absent—Excused.

Henderson.	Nugent.
Hudspeth.	

Action recurred on the motion to table the motion to recommit S. B. No. 55, which motion to table was adopted by the following vote:

Yeas—22.

Astin.	Cowell.
Bailey of Harris.	Darwin.
Bee.	Gibson.
Brelsford.	Harris.
Clark.	Johnson.
Conner.	King.

Lattimore.	Smith.
McNealus.	Suiter.
Page.	Townsend.
Parr.	Westbrook.
Robbins.	Wiley.

Nays—5.

Bailey of DeWitt.	McGregor.
Hall.	Morrow.
Harley.	

Present—Not Voting.

McCollum.

Absent—Excused.

Henderson.	Nugent.
Hudspeth.	

Action then recurred on the amendment to S. B. No. 55, and

Senator Darwin moved to table same, which motion to table was adopted by the following vote:

Yeas—14.

Astin.	Morrow.
Clark.	Page.
Conner.	Parr.
Darwin.	Smith.
Harris.	Townsend.
King.	Westbrook.
McNealus.	Wiley.

Nays—10.

Bailey of DeWitt.	Gibson.
Bailey of Harris.	Johnson.
Bee.	Lattimore.
Brelsford.	McCollum.
Cowell.	Suiter.

Present—Not Voting.

McGregor.

Absent.

Hall.	Robbins.
Harley.	

Absent—Excused.

Henderson.	Nugent.
Hudspeth.	

Action recurred on the amendment by Senator Cowell, and the same was lost.

Senator McNealus offered the following amendment:

Amend the printed bill, page 8, line 30, by striking out the words "one-third," and substituting therefor the words "90 per cent."

M'NEALUS.  
LATTIMORE.

Senator Darwin moved to table the amendment, which motion to table was adopted by the following vote:

## Yeas—13.

Astin.	McGregor.
Clark.	Page.
Conner.	Parr.
Darwin.	Smith.
Harley.	Townsend.
King.	Westbrook.
McCollum.	

## Nays—12.

Bailey of Harris.	Johnson.
Bee.	Lattimore.
Brelsford.	McNealus.
Cowell.	Morrow.
Gibson.	Suiter.
Harris.	Wiley.

## Present—Not Voting.

Bailey of DeWitt.

## Absent.

Hall.

Robbins.

## Absent—Excused.

Henderson.  
Hudspeth.

Nugent.

Senator Clark moved to reconsider the vote by which the amendment by Senator Cowell was lost.

The motion to reconsider prevailed.

Action recurred on the amendment by Senator Cowell.

Senator Gibson offered the following amendment to the amendment:

Amend the amendment, by inserting "10 per cent," instead of "20 per cent."

Senator Darwin moved to table the amendment to the amendment, which motion to table was adopted by the following vote:

## Yeas—15.

Bailey of DeWitt.	McGregor.
Bailey of Harris.	Page.
Clark.	Parr.
Conner.	Smith.
Cowell.	Suiter.
Darwin.	Townsend.
King.	Westbrook.
McCollum.	

## Nays—10.

Astin.	Bee.
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Brelsford.	Littimore.
Gibson.	McNealus.
Harris.	Morrow.
Johnson.	Wiley.

## Present—Not Voting.

Robbins.

## Absent.

Hall.

Harley.

## Absent—Excused.

Henderson.  
Hudspeth.

Nugent.

Action recurred on the amendment by Senator Cowell, and the same was adopted.

Senator Astin offered the following amendment:

Amend the printed bill, on page 2, Section 6, in lines 30 and 31, by striking out, after the word "room," the following: "in the State building at Capital," and insert in lieu thereof, "at the Agricultural and Mechanical College."

## Adjournment.

At 6 o'clock, p. m., Senator McNealus moved that the Senate adjourn until 2 o'clock tomorrow afternoon.

Senator Johnson moved, as a substitute, that the Senate adjourn until 10 o'clock tomorrow morning.

Action recurred on the longest time first, and the motion to adjourn until 2 o'clock, p. m., tomorrow was adopted by the following vote:

## Yeas—17.

Astin.	McCollum.
Bailey of DeWitt.	McGregor.
Brelsford.	McNealus.
Clark.	Morrow.
Cowell.	Page.
Darwin.	Parr.
Gibson.	Robbins.
Harley.	Smith.
King.	

## Nays—10.

Bailey of Harris.	Lattimore.
Bee.	Suiter.
Conner.	Townsend.
Harris.	Westbrook.
Johnson.	Wiley.

Absent.

Hall.

Absent—Excused.

Henderson.

Nugent.

Hudspeth.

## APPENDIX.

## Senate Bill No. 315.

On motion of Senator McGregor, the following bill was ordered printed here:

By McGregor and S. B. No. 315.  
Gibson.

## A BILL

To be entitled

An Act to provide for the appointment of a Cotton Seed Products Investigating Commission, to be composed of three persons to be appointed by the Governor, to investigate cotton seed oil mills located within this State, to ascertain whether anti-trust laws of Texas and the United States are being violated in connection with the purchase of cotton seed, the relation of such cotton seed oil mills, their owners and controllers, through individuals or stock ownership, with each other, and with packeries, national banking associations, State banks, trust companies, transportation companies, or with the stockholders, directors or other officers or agents of such companies, or with a person or persons, which have a tendency to destroy competition in the purchase of cotton seed and the sale of the products thereof; to provide for the issuance of processes for witnesses and the taking of testimony, and conferring the power to compel attendance of witnesses and to compel witnesses to testify, and providing compensation for such witnesses, and to adjudge guilty of contempt and impose a penalty for refusal to testify; providing for compensation to be paid to members of the commission, and power to employ clerical and other attendance, and such commission shall submit proposed bills and report to the Governor; appropriating the sum of thirty thousand (\$30,000.00) dollars to provide for the expenses to

be incurred; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The Cotton Seed Products Investigating Commission is hereby created, to be composed of three citizens of Texas, to be appointed by the Governor, to make an investigation for the purpose of ascertaining whether there have occurred violations by persons, associations of persons or corporations engaged in the purchase of cotton seed, the crushing thereof, the production of cotton seed oil and other products of cotton seed and the sale of such products; of the anti-trust laws of Texas or of the United States, or other laws in restraint of trade; to investigate the various cotton seed oil mills engaged in business in this State, their organization and operation, their relation to cotton gins and the owners of cotton gins, whether located within or without this State; to investigate the relations of said cotton seed oil mills to the packeries situated within or without this State, and to what extent, if any, cotton seed oil mills situated within this State are owned or controlled, either in whole or in part, by packeries within this State or out of this State, or by persons, associations of persons or corporations who own or control, either by stock ownership or otherwise, any packeries within or without this State; to investigate the ownership of cotton seed oil mills located within this State and ascertain how many, if any, of the cotton seed oil mills located within this State are owned or controlled, either directly through stock ownership or otherwise, by the same individuals; to investigate how many cotton seed oil mills located within this State, if any, are either represented by the same agent, agents or agency; whether same be an individual, association of individuals or a corporation; through whom cotton seed is purchased; to investigate the method and system by and through which the cotton seed oil mills located within this State purchase cotton seed; to investigate whether or not there exists either an expressed or implied agreement between any of the courts or controlling owners, whether as individuals or through stock ownership, of any of the cot-

ton seed oil mills located in Texas to suppress competition in the purchase of cotton seed, and thereby tend to in any wise depress or reduce the price that the cotton growers receive for the cotton seed with-in or without this State; to investigate whether the method or system pursued by the owners or controllers of cotton seed oil mills located with-in this State in the purchase of cotton seed is such as tends to either suppress competition in the purchase of such cotton seed or affect the price paid for such cotton seed to the cotton grower; to investigate the relationship of cotton seed oil mills of Texas, their owners or controllers, whether owned through individuals, agents or stock ownership in corporations, to national banking associations, State banks, trust companies, whether organized under the laws of this State or other States, located within this State or out of it, and other financial institutions or financiers, and persons, associations of persons or corporations engaged in any other line of industry or commerce; directing such investigation particularly in addition to those specifically hereinbefore named to transportation companies, packeries and cotton gins; to investigate whether said cotton seed oil mills, through the persons owning stock therein, their officers or agents, have or have had any relation with any other cotton seed oil mills, or any railroad company or other transportation companies, national banking associations, trust companies, or other corporate organizations or companies, or with the stockholders, directors or other officers or agents of such companies, or with any person or persons which have caused or have a tendency to cause any of the results following:

1. The restriction or destruction of competition in the purchase of cotton seed within this State or in the manufacture or sale of the products of cotton seed.

2. Combinations created by ownership or control by one corporation or the stockholders or bondholders thereof, of the stock or bonds of other corporations, or combinations between the officers or agents of one corporation and the officers or agents of other corporations by duplication of directors or other means and devices.

Sec. 2. Such commission and each member thereof shall have full power and authority to administer oaths to the officers, clerks and stenographers that it may employ in connection with the performance of its duties, and to any witnesses and parties called to testify before it; and said commission shall have full power and authority to issue any and all process that may be necessary to compel the attendance of witnesses and the production of any books, papers and other written documents, it may designate, and to compel any witness to testify in respect to any matter or charge by it being investigated, in answer to all pertinent questions propounded by it, or under its direction, and to fine or imprison any witness for his failure or refusal to obey the process served on him by such commission, or to answer such pertinent questions propounded; provided, that such fine shall not exceed one hundred dollars, nor shall imprisonment be for more than sixty days; and provided, further, that the testimony given by a witness before such investigating commission shall not be used against him in any criminal action or proceeding, nor shall any criminal action or proceeding be brought against such witness on account of any testimony so given by him, except for perjury committed before such commission.

Sec. 3. Any sheriff or constable of this State may serve any process that may be issued by said commission for the attendance of witnesses who reside within this State; and for such service any sheriff or constable shall be allowed the same fees and mileage allowed for similar process by the district courts of this State in civil cases, and all witnesses shall be paid the same fees and mileage as is allowed in civil cases. Should said commission so direct, any witness visiting or being within the State may be summoned before such commission by having a brief statement of the process issued for such witness transmitted by telegram to any sheriff or constable of the county within which such witness may reside, or is supposed to be, at the time such process may be issued.

Sec. 4. Whenever such commission shall deem it necessary or advisable to procure the testimony of any witness or witnesses residing or

being at a great distance from the city of Austin, within this State, or residing or being without this State, or procure the evidence contained, or supposed to be contained, in any books, papers or written documents without this State, such commission may name, appoint and delegate any one of its members as a special commissioner to go to any such distant point or points within this State, or beyond the confines of this State, where such witness resides, or is supposed to be, or where such evidence may probably be had, for the purpose of procuring the testimony of such witness or witnesses, or of such evidence, and shall seek to procure the same as hereinafter provided.

Sec. 5. When such special commissioner as hereinabove defined shall be appointed and delegated by said commission, notice thereof shall be forthwith given to the party under investigation, or his attorneys of record, and the point or points to which such special commissioner is directed to go, as far as may then be known, shall be stated in such notice, and the order in which such points are to be visited, as far as may then be known; provided, that such special commissioner may visit any other point or points than those named by such commission, if in the judgment of such commissioner necessary to procure such testimony or any other material testimony.

Sec. 6. Such special commissioner shall have authority to issue any and all process that may be necessary to compel the attendance of witnesses before him; administer oaths to witnesses, compel witnesses to produce before him any books, papers and other written documents designated in any process by him issued, and take the testimony of any witness in respect to any matters or charges pending before said commission, and to compel any witness to answer any questions propounded by him or under his direction, pertinent to such matters or charges. Whenever any witness is subpoenaed by said commission to appear before him, such subpoena shall state the time when and the place where such witness is expected to appear to testify in respect to such matters and charges; and reasonable time, to be determined by said commission, shall be given such

witness to make his appearance and produce any books, papers and documents that he may be required by the process served on him to produce before said commissioner. Said commissioner shall employ an expert stenographer to take down all questions propounded to any witness and his answers thereto, whether said witness is examined before him or before some officer of the State in which such examination is being had as hereinafter provided.

Sec. 7. Said commissioner, if he elects so to do, may file with any judge of any court of record, justice of the peace, commissioner of deeds for the State of Texas, or notary public of the county and State where any witness whose testimony is desired may reside or be found, a brief statement of the matters under investigation by the commissioners, in respect to which the testimony of such witness is sought, the name of the witness and where he can probably be found, the reasons why such witness is believed to possess the information sought, and, when books, papers and other documents accessible to such witness are desired, such a description thereof as will enable the witness to produce the same, and thereupon ask that such judge, justice of the peace or commissioner of deeds or notary public, shall summon such witness to appear before him with any books, papers, and other written documents that may be so designated, and testify in answer to any and all pertinent questions that may be propounded to him by said commissioner, or under his direction, in respect to said matters. Any subpoena or other process issued by said judge, justice of the peace, commissioner of deeds, or notary public, shall state the time and place of holding such examination, and otherwise conform to the laws of the State in which same is issued; and the examination of such witness shall be in the same manner and subject to the same rules of procedure as provided by law for taking the deposition of witnesses in answer to oral interrogatories and interrogatories under a commission issued upon agreements of the parties litigant by the district courts of the State of Texas to take the deposition of non-resident witnesses, except, that no notice shall be required to be given to any one other than

the witness. Any process that may be issued by any officer without this State hereinbefore named may be served by any sheriff, constable or policeman of the county and State in which such witness may reside or be found, and for such service shall receive the same fees and mileage as may be provided by the law of said State for service of process in the district or circuit courts of such State in civil cases.

Sec. 8. Any process issued by said commissioner, or by any of the officers named in the preceding Section, when the same is to be served without this State, shall be served by any of the officers named in said Section, by delivering a true copy of such process to the witness therein named; and such officer shall make his return on such service showing how and when the same has been served, and service of process in this State shall be the same as service of similar process in civil cases in the district courts of this State.

Sec. 9. When any witness appears to testify, either before said commissioner or any of the officers named in Section 7, the questions propounded and answers thereto shall be taken down by a competent stenographer, and thereafter transcribed, together with all objections thereto, and shall be returned to the commission, to be incorporated in the record as a part of the evidence in such investigation, subject to the ruling of said commission as to the admissibility of any evidence therein contained. Any officer named in Section 7 shall have power and authority to compel any witness appearing before him to testify in answer to any and all pertinent questions propounded; and upon the failure or refusal of such witness to testify, such officer may fine or imprison such witness for contempt to the extent and as may be provided by the laws of the State in which such witness is examined.

Sec. 10. The commission herein provided for shall hold its sessions in a room in the State Capitol to be provided and furnished by the State Superintendent of Public Buildings and Grounds, and shall employ necessary clerical and other assistance, including one attorney-at-law, or one firm of attorneys-at-law, whose compensation shall be fixed subject to the approval of the Governor. The

chairman of said commission shall have authority to sign, and the secretary thereof shall have authority to witness subpoenas and all other orders.

Sec. 11. The members of said commission shall be paid the sum of \$10.00 per day for each day or a part thereof actually engaged in the performance of their duties; provided that such compensation shall not be allowed for more than one hundred and twenty (120) days; and while said members of said commission are engaged in the performance of their duties away from Austin, their actual expenses, including the expenses of travel, shall be paid.

Sec. 12. Said commission shall immediately upon the conclusion of its investigation, prepare a report of its findings, including proposed laws, bills or measures properly prepared and drawn, and file same with the Governor of Texas, who shall receive same and file same in the office of the Secretary of State.

Sec. 13. The sum of \$30,000.00, or so much thereof as may be necessary, is hereby appropriated out of the general revenue not otherwise appropriated, to defray the expenses of said commission in conducting said investigation. All expenses, including the compensation allowed to the members of the commission, shall be paid by the Treasurer of the State of Texas upon warrants issued by the Comptroller of Public Accounts, upon order duly issued and certified by the chairman and secretary of the commission.

Sec. 14. The fact that cotton seed is one of the important products of Texas, in the sale of which competition has from time to time been suppressed at a great and irreparable financial loss to the people of Texas, and the further fact that it is repeatedly charged that cotton seed oil mills located within this State are so owned and controlled in combination or relation with other industries, as to make it impossible under existing anti-trust laws to reach the resultant evil effects upon the cotton producers of this State, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three separate days be suspended, and such rule is hereby suspended, and this Act shall take effect and be in

force from and after its passage, and it is so enacted.

#### Petitions and Memorials.

Senator Cowell offered three numerous signed petitions from the Brotherhood of Railroad Trainmen residing at Gainesville, asking a careful consideration of the full crew bill.

The Chair laid before the Senate a telegram from E. L. Adamcik and others of Smithville, on the same subject.

Senators Johnson and Darwin each presented petitions asking that an expenditure of money in primary elections be limited by law.

Senators Page and Lattimore each presented petitions numerous signed, protesting against the passage of the Gibson bill, or enacting any other legislation affecting the Robertson insurance law.

Senators Brelsford, McGregor, Darwin, and Astin each presented petitions opposing the Townsend and Darwin bill providing for the annulment of all exceptions to the anti-pass law. Those offered by Senator McGregor were from the fire departments of Austin.

Senator Gibson offered telegrams from Bonham and Farmersville, opposing H. B. No. 26, the oil mill and gin divorcement bill.

Senator Smith presented a petition from county officers and attorneys of Carthage, opposing the nine-juror verdict bill.

The Chair laid before the Senate a telegram from parties at Columbus, Ohio, suggesting a change in S. B. No. 146, prohibiting the trapping of game, etc.

Senator McGregor offered petitions from citizens of Williamson County, favoring H. B. No. 255, relating to usury; H. B. No. 402, for compulsory education, and H. J. R. No. 18, providing for a graduated land tax law.

Senator Darwin presented a petition from Klondike, Texas, endorsing a measure to have all schools examined at least three times a year.

A petition from citizens and business men of New Braunfels, favoring S. B. No. 234, placing telephone and telegraph companies under con-

trol of the Railroad Commission, was presented by Senator Harley.

#### Committee Reports.

Committee Room,  
Austin, Texas, February 16, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Rules, to whom was referred

S. R. No. 77, providing that the Sessions of the Senate, beginning Tuesday, the 16th, be held as follows: Convening at 10 a. m., remain in session until 12, noon; re-convening at 2 o'clock, p. m., remain in session until 5 p. m.; and re-convening at 7 p. m., remain in session until 9 p. m.; this order to continue throughout the remainder of the Session,

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do not pass.

DARWIN, Chairman.

Committee Room,  
Austin, Texas, February 16, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Rules, to whom was referred

S. R. No. 76, providing that the name of Senator Lattimore be added to the Committee on Congressional Districts, together with the amendment providing that the name of Senator Lattimore be stricken out of said resolution, and the words "All members of the Senate" be inserted in lieu thereof,

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do not pass.

DARWIN, Chairman.

(Floor Report.)

Committee Room,  
Austin, Texas, February 16, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

S. B. No. 312, A bill to be entitled "An Act creating the LaPorte Independent School District, in Harris

County, Texas, defining its boundaries, divesting the town of LaPorte of the control of its public free schools, and divesting the bodies politic now controlling the same of the title of all property now held and used for public school purposes within the territory in this Act described, and vesting the same in the LaPorte Independent School District; providing for a board of trustees to manage and control the public free schools within said district, and the vesting of said district with the rights, powers, privileges and duties of a town or village incorporated for free school purposes only under the general laws; pro rating the indebtedness between the LaPorte Independent School District and Common School District No. 13, and declaring an emergency."

Have had the same under consideration, and beg to report same back to the Senate, with the recommendation that it do pass, and be not printed.

Bee, chairman; Gibson, Johnson, Darwin, Harley, Robbins, Aston, McGregor, Smith, Morrow, Cowell, Bailey of Harris.

Committee Room.

Austin, Texas, February 16, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 108, A bill to be entitled "An Act to amend Articles 2750, 2751, 2757, 2758, Title 12, Chapter 48, Revised Statutes of Texas, relating to county superintendents of public instruction, their election qualifications, duties, and compensation, and repealing Articles 2759, 2760, 2761, 2762, Revised Statutes of Texas, and all laws in conflict therewith, and declaring an emergency."

Have had same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do pass, and be printed.

BEE, Chairman.

Committee Room.

Austin, Texas, February 16, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on

Educational Affairs, to whom was referred

S. B. No. 184, A bill to be entitled "An Act to amend Article 2774, Chapter 13, Title 48, Revised Civil Statutes of the State of Texas, 1911, entitled 'Manner of Taking Census'; requiring superintendent of public instruction to appoint census trustee of the school district; requiring census trustee to take census; enumerating all children within the district not under 7 nor over 21 years of age on the 5th day of the following September, and to make returns; prescribing duties of census trustee; imposing certain duties and obligations on the census trustee, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do pass, with committee amendment.

BEE, Chairman.

Committee amendment:

Strike out, in line 19, page 1, the words, "It shall be the duty of the census trustee to take, between the first day of May and the first day of June, after his appointment, a census of all the children that will be over 7 and under 21 years of age on the first day of the following September," and insert in lieu thereof the following:

"It shall be the duty of the census trustee to take, between the first day of March and the first day of April, after his appointment, a census of all the children that will be over 7 to 21 years of age on the first day of the following September."

Committee Room.

Austin, Texas, February 16, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

H. B. No. 208, A bill to be entitled "An Act to amend an Act entitled 'An Act to prevent the pollution of the water courses or other public bodies of water of the State of Texas; providing a penalty therefor, and providing means for the abatement thereof,' which is an Act known as Chapter 47, of the Acts of the Regular Session of the Thirty-third Legislature, page 90, which passed the Legislature on March 18, A. D. 1913, and was approved by the Governor on



March 27, A. D. 1913, by making the acts herein forbidden cumulative one to the other, and by inserting, after the word 'purposes,' in Section 1 thereof, page 90, of said Acts, the following: 'Provided, however, that the provisions of this bill shall not affect any municipal corporation situated on tide water; that is to say, where the tide ebbs and flows in such water course,' "

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do pass.

M'NEALUS, Chairman.

Committee Room,

Austin, Texas, February 16, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Mining and Irrigation, to whom was referred

S. B. No. 290, A bill to be entitled "An Act to make it unlawful for any person, firm or corporation within this State to divert the natural flow of the surface waters in this State or to permit such a diversion to continue after the passage of this Act, or to impound such waters, or to permit the impounding thereof to continue after the passage of this Act, in such a manner as to damage the property of another; and to provide that in all such cases the injured party shall have remedies, both in law and equity, including damages occasioned thereby,"

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,

Austin, Texas, February 16, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom has been referred

H. B. No. 203, A bill to be entitled "An Act adding to and making a part of the Alice Independent School District, of Jim Wells County, certain lands and territory adjoining thereto situate in Jim Wells County, for school purposes; giving the board of trustees of said district power and jurisdiction over said

lands and territory, and the inhabitants thereof; exempting such added territory from the bonded indebtedness of the Alice Independent School District now existing against said district; validating the incorporation proceedings of said Alice Independent School District and its bonded indebtedness and declaring an emergency,"

Have had the same under consideration, and beg leave to report same back to the Senate, with the recommendation that it do pass, and be not printed.

BEE, Chairman.

Committee Room,

Austin, Texas, February 16, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 132, A bill to be entitled "An Act to create an Illiteracy Commission for the State of Texas; outlining its powers and duties; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do not pass.

BEE, Chairman.

Committee Room,

Austin, Texas, February 16, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 208, A bill to be entitled "An Act to create a board which shall hereafter be known as the University Law Text Book Board. The board shall consist of the Attorney General, the Supreme Court and the Dean of the Law Department of the University of this State. The board shall have authority, and it shall be its duty to pass upon and select all books used in teaching law at the University of this State. They shall meet in the city of Austin at whatever time the board may deem necessary to transact the business of said board. The board shall have authority to make all rules and regulations governing its actions,"

Have had the same under consideration, and I am instructed to re-

port the same back to the Senate, with the recommendation that it do not pass.

BEE, Chairman.

Committee Room,  
Austin, Texas, February 16, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 217, A bill to be entitled "An Act to amend Chapter 26, Acts of the Regular Session of the Thirty-second Legislature, being an Act entitled 'An Act to provide for the establishment, organization and control of public high schools in the common school districts of Texas, making an appropriation for the teaching of agriculture, domestic economy and manual training in said high schools and in certain high schools already established, and declaring an emergency,' so as that the general management and control of the public free schools in each county shall be vested in five county school trustees; to provide for the election of such trustees, and the term of office thereof; to provide for the classification of the schools of each county in accordance with regulations prescribed by the State Superintendent of Public Instruction, and prescribing certain duties of such county school trustees and the county superintendent of public instruction and the State Superintendent of Public Instruction with reference thereto; providing for a course of study for the public schools of the county, etc.; authorizing the county school trustees to subdivide the counties into school districts and to make changes in school district lines to determine the location of high schools, to designate schools in which high school subjects may be taught; to consolidate two or more common school districts upon petition, and prescribing certain powers and duties for the county superintendent of public instruction and the State Superintendent of Public Instruction with reference thereto; providing for the classification by the State Department of a high school of the first class, and a high school of the second class, and a high school of the third class, etc.; providing for the vocational branches in such high schools, such as agriculture, manual training and domes-

tic economy; providing that the county school trustees of each county shall constitute a body corporate and shall have certain powers, and providing for the vesting in such body of titles to school property; providing that the county school superintendent shall be secretary and executive officer of such body and defining his duties as such; making it the duty of the county school trustees to apportion available State and county funds to school districts as prescribed by law; providing for appeals from the county superintendent of public instruction to such school trustees, and from such trustees to the State Superintendent of Public Instruction, and thence to the State Board of Education; prescribing meetings for such school trustees and compensation therefor; prescribing qualifications for such trustees and the manner of their qualification as such trustees; providing for the filling of vacancies in such county school trustees; prescribing that three of such trustees shall constitute a quorum and that all questions shall be decided by majority vote, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BEE, Chairman.

Committee Room,  
Austin, Texas, February 16, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We your Committee on Educational Affairs, to whom was referred

S. B. No. 309, A bill to be entitled "An Act to amend an Act passed by Regular Session of the Thirty-first Legislature, known as Senate Bill No. 320, and approved March 15, 1909, as amended by the Second Called Session of the Thirty-first Legislature by Senate Bill No. 27, approved April 30, 1909, entitled 'An Act to amend an Act creating an independent school district to be known as Corpus Christi Independent School District, including within its limits the municipal corporation of the city of Corpus Christi, and to provide for the creation of a board of trustees thereof, and authorizing the board of trustees to levy, assess and collect special taxes

and conferring upon the board of trustees plenary powers and authority to issue bonds for the purpose of purchasing school sites and erecting, furnishing and equipping school buildings on the same, and to pay current expenses in the maintenance and support of said schools, and further prescribing the duties and authorities of said board, and declaring an emergency,' passed at the Regular Session of the Thirty-first Legislature, known as Senate Bill No. 320, so as to hereafter read as follows, 'and repealing all laws, and parts of laws in conflict herewith, and declaring an emergency,' passed at the Second Called Session of the Thirty-first Legislature, known as Senate Bill No. 27, so as to hereafter read as follows, 'and defining its boundary and including within its limits the municipal corporation of the city of Corpus Christi, and to provide for the creating of a board of trustees thereof, and authorizing the board of trustees to levy, assess and collect special taxes and providing authority to issue bonds for the purpose of purchasing school sites and erecting, furnishing and equipping school buildings within the same, and to levy a tax therefor, and to pay current expenses for the maintenance and support of said school, declaring valid all issues of bonds heretofore made, declaring valid a maintenance tax heretofore voted, and repealing all laws in conflict herewith, in so far as they conflict with this Act, and declaring an emergency,'"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

BEE, Chairman.

Committee Room,

Austin, Texas, February 16, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 251, A bill to be entitled "An Act to incorporate Belfalls County Line Common School District No. 15, composed of territory lying in Bell and Falls Counties, Texas, the said district being attached to Falls County for management and control, into an independ-

ent school district to be known as Belfalls Independent School District, for free school purposes only; providing for the election of a board of trustees therefor, and defining and prescribing the duties and powers of said board of trustees; validating the tax levy for bonds and maintenance thereon; vesting said district with all the rights, powers, privileges and duties of a town or village incorporated under the general laws of this State for free school purposes only, and declaring an emergency,"

Have had same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass and be not printed.

BEE, Chairman.

Committee Room,

Austin, Texas, February 16, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 285, a bill to be entitled "An Act recreating by special law the Blanco Independent School District, in Blanco County, Texas, heretofore created by general law; providing for a reorganization of its boundary lines; providing for the manner of holding institutes for its teachers; providing that the assets, liabilities and tax rate of the old district shall become the assets, liabilities and tax rate of the new; providing the manner of transferring scholastics; providing for the present status and future election of trustees, and declaring an emergency,"

Have had same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

BEE, Chairman.

Committee Room,

Austin, Texas, February 16, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Commerce and Manufactures, to whom was referred

S. B. No. 308, A bill to be entitled "An Act to amend Article 5631 of the Revised Civil Statutes of 1911, fixing the manner in which liens may

be fixed on homesteads, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LATTIMORE, Chairman.

Committee Room,  
Austin, Texas, February 16, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Mining and Irrigation, to whom was referred

S. B. No. 213, A bill to be entitled "An Act to amend Sections 36, 40, 42, 49 and 104, of Chapter 172, Acts of the Thirty-third Legislature of the State of Texas, and to provide for the collection of taxes, providing a penalty for failure to pay such taxes within the time fixed for payment; providing for the seizure and sale of personal property for the collection of taxes, providing for making a delinquent tax record; providing for the keeping of accounts by the tax assessor and collector, and the keeping of a finance ledger for irrigation districts, providing that the tax assessor and collector shall make an annual report, and for the auditing of such annual report, and for settlements with the tax assessor and collector; providing for meetings of board of directors, for issuance of vouchers by four directors, for keeping of accounts for irrigation districts, for appointment of auditor for irrigation districts, and for reports by such auditor,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, February 16, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Mining and Irrigation, to whom was referred

S. B. No. 214, A bill to be entitled "An Act to define the means of determining who are the holders of title and evidence of title to lands in an irrigation district and who are required to sign petitions for the or-

ganization of irrigation districts, and providing that such owners and holders of title or evidence of title shall be determined by the county tax rolls, and declaring all such irrigation districts which have been organized or which are being organized on petitions so signed, and otherwise in accordance with the requirements of law to be valid, and to validate same,"

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, February 16, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, our Committee on Mining and Irrigation, to whom was referred

S. B. No. 246, A bill to be entitled "An Act to authorize guardians of estates to make leases, and prescribing the manner in which said mineral leases shall be made; repealing Chapter 131 of the General Laws of the Regular Session of the Thirty-third Legislature, approved April 3, 1913, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, February 16, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Mining and Irrigation, to whom was referred

S. B. No. 282, A bill to be entitled "An Act to amend Title 25, Chapter 2, Article 1121, Subdivision 16, Revised Statutes of Texas, 1911, providing for the creation of private corporations for the establishment and maintenance of all companies with authority to contract for, lease and purchase of the right to prospect for, develop and use coal and other minerals, by adding thereto the right to contract for the lease and purchase of the right to prospect for, develop and use gas; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do pass.

BRELSFORD, Chairman.

#### Engrossing Committee Reports.

Committee Room,  
Austin, Texas, February 16, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills, have carefully compared Substitute Senate Bill No. 67, and find same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,  
Austin, Texas, February 16, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully compared Senate Bill No. 79, and find same correctly engrossed.

WESTBROOK, Chairman.

#### TWENTY-SEVENTH DAY.

Senate Chamber,  
Austin, Texas,  
Wednesday, February 17, 1915.

The Senate met at 2 o'clock p. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answered to their names:

Astin.	Lattimore.
Bailey of DeWitt.	McCollum.
Bailey of Harris.	McGregor.
Bee.	McNealus.
Brelsford.	Morrow.
Clark.	Nugent.
Conner.	Page.
Cowell.	Parr.
Darwin.	Robbins.
Gibson.	Smith.
Hall.	Suiter.
Harley.	Townsend.
Harris.	Westbrook.
Johnson.	Wiley.
King.	

Absent—Excused.

Henderson. Hudspeth.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator King.

#### Simple Resolution No. 84.

By Senator Bailey of Harris:

We move that Senate Bill No. 78 be made special order for Friday, February 19, after the morning call.

Signed: Bailey of Harris, Harris, Parr, Smith, Brelsford, Nugent, Bailey of DeWitt, Johnson, Clark, Harley, Astin, Darwin, Cowell, Bee, Gibson, Page, Lattimore.

The resolution was read and Senator Bailey of Harris moved that the same be considered as this time.

The motion was adopted.

The resolution was adopted.

#### Senate Bill No. 45.

Senator Wiley asked unanimous consent to make S. B. No. 45 a special order for next Friday at 3 o'clock p. m.

There was no objection.

#### Simple Resolution No. 85.

By Senator Clark:

I move that S. B. No. 196 be set for Monday next, after morning call.

The resolution was read and adopted.

#### Senate Bill No. 133.

Senator Johnson asked unanimous consent to make S. B. No. 133 a special order for next Tuesday morning following the conclusion of the morning call.

There was no objection.

#### Senate Bill No. 65.

Senator Townsend asked unanimous consent for S. B. No. 65 to be made a special order Monday after the conclusion of the morning call.

There was no objection.